JUDGE FRANK MONTALY (

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS EL PASO DIVISION

UNITED STATES OF AMERICA,

PETITIONER,

v.

APPROXIMATLEY \$174,238.00 IN FUNDS FORMERLY ON DEPOSIT IN FIRST LIGHT FEDERAL CREDIT UNION ACCOUNT NUMBER 9743281; and

APPROXIMATLEY \$13,250.00 IN UNITED STATES CURRENCY,

RESPONDENTS.



CIVIL ACTION NO.

EP22CV0069

VERIFIED COMPLAINT FOR FORFEITURE

Comes now Petitioner United States of America, acting by and through the United States
Attorney for the Western District of Texas and the undersigned Assistant United States Attorney,
pursuant to Rule G, Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture
Actions, Federal Rules of Civil Procedure, and respectfully states as follows:

I. NATURE OF THE ACTION

This action is brought by the United States of America seeking forfeiture to the United States of the property described below:

- 1. Approximately \$174,238.00 in funds formerly on deposit in First Light Federal Credit Union Bank account number 9743281 held in the name of Ashley Home Health (hereinafter referred to as, "Respondent Account 1"); and
- 2. Approximately \$13,250.00 in cash formerly seized from a search warrant executed at 10921 Pellicano Drive, Suite 105, El Paso, TX (hereinafter referred to as, "Respondent Account 2"),

collectively referred to as the "Respondent Accounts."

II. STATUTORY BASIS FOR FORFEITURE

This is a civil forfeiture action *in rem* brought against the Respondent Accounts for the violation of Title 18 U.S.C. § 1343, and subject to forfeiture to the United States pursuant to Title 18 U.S.C. § 981(a)(1)(C).

Title 18 U.S.C. § 981. Civil forfeiture

- (a)(1) The following property is subject to forfeiture to the United States:
 - (C) Any property, real or personal, which constitutes or is derived from proceeds traceable to a violation . . . of this title or any offense constituting "specified unlawful activity" (as defined in section 1956(c)(7) of this title), or conspiracy to commit such offense.

III. JURISDICTION AND VENUE

Under Title 28 U.S.C. § 1345, this Court has jurisdiction over an action commenced by the United States, and under Title 28 U.S.C. § 1355(a), jurisdiction over an action for forfeiture. This Court has *in rem* jurisdiction over the Respondent Accounts under Title 28 U.S.C. §§ 1355(b) and 1395(b). Venue is proper in this District pursuant to Title 28 U.S.C. § 1355(b)(1)(A), because the acts or omissions giving rise to the forfeiture occurred in this District, and pursuant to Title 28 U.S.C. §§ 1355(b)(1)(B) and 1395(b) because the Respondent Accounts were seized in this District.

IV. FACTS IN SUPPORT OF FORFEITURE

See Appendix "A" for facts under seal.

V. PRAYER

WHEREFORE, Petitioner, United States of America, prays that due process issue to enforce the forfeiture of the contents in Respondent Accounts, that due notice, pursuant to Rule

G(4), be given to all interested parties to appear and show cause why forfeiture should not be decreed, that a warrant for an arrest in rem be ordered, that the contents in Respondent Accounts be forfeited to the United States of America, that the contents in Respondent Accounts be disposed of in accordance with the law, and for any such further relief as this Honorable Court deems just and proper.

Respectfully submitted,

ASHLEY C. HOFF United States Attorney for the Western District of Texas

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Kristal M. Wade

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¹ Appendix B, Notice of Complaint of Forfeiture, which is being filed along with this complaint, will be sent to those known to the United States to have an interest in the Respondent Accounts.

VERIFICATION

Special Agent, Samuel Waldron, declares and says that:

I am a Special Agent with Federal Bureau of Investigations, assigned to the El Paso Field

Office, and I am the investigator responsible for the accuracy of the information provided in this

complaint.

I have read the above Verified Complaint for Forfeiture and know the contents thereof

based upon my personal participation in the investigation, my conversations with others, and my

review of documents and other evidence. Based upon information and belief, the allegations

contained in the Verified Complaint for Forfeiture are true and correct. Because the Verified

Complaint is being submitted for the limited purpose of stating sufficiently detailed facts to

support a reasonable belief that the government will be able to meet its burden of proof at trial, it

does not contain every fact known by me or the United States. Where the actions, conversations,

and statements of others are related therein, they are related in substance and in part, unless

otherwise stated.

I declare under penalty of perjury that the foregoing is true and correct to the best of my

knowledge.

Executed on this the 28th day of February, 2022.

Special Agent Samuel Waldron Federal Bureau of Investigations